

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

|                           |   |                     |
|---------------------------|---|---------------------|
| UNITED STATES OF AMERICA, | ) |                     |
|                           | ) |                     |
| Plaintiff,                | ) |                     |
|                           | ) |                     |
| v.                        | ) | No. 13-cr-40076-JPG |
|                           | ) |                     |
| MONICA NICHOLSON,         | ) |                     |
|                           | ) |                     |
| Defendant.                | ) |                     |

**MEMORANDUM AND ORDER**

This matter comes before the Court on defendant Monica Nicholson's motion for an extension of time to file a notice of appeal (Doc. 16).

Federal Rule of Appellate Procedure 4 sets forth the timing rules relating to notices of appeal. Rule 4(b)(1) provides that, in a criminal case, generally a defendant must file any notice of appeal within 14 days of the later of (1) entry of the judgment or order from which the appeal is taken or (2) the government's notice of appeal. Fed. R. App. P. 4(b)(1)(A). The Court may extend the time to file a notice of appeal for excusable neglect or good cause. Fed. R. App. P. 4(b)(4). The Court may extend the deadline for no more than 30 days from the expiration of the 14-day period. *Id.*

The Court entered a judgment on September 6, 2013, and the government did not appeal that judgment. Therefore, Nicholson had 14 days - until September 20, 2013 - to file a notice of

appeal. Nicholson asks for an extension of time of 28 days to October 18, 2013, to give her time to consult with her attorney about whether she wants to appeal. The Court finds this constitutes good cause and, accordingly, **GRANTS** the motion (Doc. 16)and **ORDERS** that Nicholson shall have up to and including October 18, 2013, to file a notice of appeal.

s/J. Phil Gilbert

**DISTRICT JUDGE**

**DATED: September 24, 2013**